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This new restriction is being made in response to the election and claim amendments filed September 25, 2008.

Claims 1-16 and 18-25 are currently pending and subject to restriction.

As noted in the previous restriction requirement, the claims have been written using improper Markush language. For example, in Claim 1 (and 20), reference is made to both protein(activity) and DNA (expression), in Claims 14 and 21, no antecedent basis for animal is found in the independent claim for animal. Therefore, the restriction divides the claims into inventions as set forth below.

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-7, 11, and 12, drawn to a method for identifying PTEN/IGF pathway modulating agents via RANBP2 activity, classified in class 435, subclass 7.1.
- II. Claims 1-3, 6, 8-12, 16, and 18 and 19 (note there is no longer basis for 'non-human animal' in Claim 16), drawn to a method for identifying PTEN/IGF pathway modulating agents via expression of nucleic acid encoding RANBP2 further comprising a secondary assay system comprising cultured cells, classified in class 435, subclass 6.
- III. Claims 13 and 15, drawn a method of modulating PTEN/IGF pathway comprising contacting a cell with a modulator, classified in class 435, subclass 7.1.
- IV. Claims 14, drawn a method of modulating PTEN/IGF pathway comprising administering to an animal a modulator, classified in class 514, subclass 2.
- V. Claims 20 and 22, drawn to a method of modulating PTEN/IGF pathway in a cell by contacting the cell with an agent that binds RANBP2, classified in class 435, subclass 7.1.

- VI. Claims 20 and 22, drawn to a method of modulating PTEN/IGF pathway in a cell by contacting the cell with an agent that binds nucleic acid encoding RANBP2, classified in class 435, subclass 6.
- VII. Claim 21, drawn to a method of modulating PTEN/IGF pathway in a cell by administering to an animal an agent that binds RANBP2, classified in class 514, subclass 2.
- VIII. Claim 21, drawn to a method of modulating PTEN/IGF pathway in a cell by administering to an animal an agent that binds nucleic acid encoding RANBP2, classified in class 514, subclass 44.
- IX. Claims 23-25, drawn to a method for diagnosing disease, classified in class 435, subclass 6.

The inventions are distinct, each from the other because of the following reasons:

The methods of Inventions I-IX require different products and steps and have different endpoints. Therefore, Inventions I-IX are patentably distinct.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Cochrane Carlson whose telephone number is 571-272-0946. The examiner can normally be reached on 7:00 AM - 4:00 PM, off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Jon Weber can be reached on 571-272-0925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Karen Cochrane Carlson/
Primary Examiner, Art Unit 1656